

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 17, 2003

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JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 17, 2003

The Senate met in regular session at 1:07 p.m., President Kramer presiding.

Prayer was offered by the Reverend Paul Schaedig, pastor of the Bethel Lutheran Church in Parkersburg, Iowa. He was the guest of Senator Brunkhorst.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Legislative Fiscal Bureau Page Dan Harder.

The Journal of Thursday, February 13, 2003, was approved.

SPECIAL GUEST

Senator Gronstal welcomed to the Senate chamber Democratic presidential candidate John Edwards, U.S. Senator from North Carolina.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:17 p.m. until 8:30 a.m. Tuesday, February 18, 2003.

APPENDIX**COMMUNICATION RECEIVED**

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

February 17, 2003

DEPARTMENT OF HUMAN RIGHTS

Management to Staff Ratios Report — notification that the report in electronic form is available online.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Patricia and Henry Clark, Clinton — For celebrating your 50th wedding anniversary on February 15, 2003. Senator Stewart (2/17/03).

Joshua Ryan Lichti, Dubuque — For achieving the rank of Eagle Scout, Boy Scout Troop 22. Senator Connolly (2/17/03).

Matthew Loren Lichti, Dubuque — For achieving the rank of Eagle Scout, Boy Scout Troop 22. Senator Connolly (2/17/03).

Gregory James Metcalf, Peosta — For achieving the rank of Eagle Scout, Boy Scout Troop 11. Senator Connolly (2/17/03).

Kevin Riedl, Dubuque — For achieving the rank of Eagle Scout, Boy Scout Troop 48. Senator Connolly (2/17/03).

Ronald and Valeta Schmidt, Delmar — For celebrating your 60th wedding anniversary on February 10, 2003. Senator Stewart (2/17/03).

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

Convened: February 13, 2003, 3:05 p.m.

Members Present: Schuerer, Chair; Boettger, Vice Chair; Horn, Ranking Member; Kibbie and Shull.

Members Absent: None.

Committee Business: Presentations by representatives from the Board of Regents, University of Northern Iowa, Iowa State University, and University of Iowa.

Adjourned: 5:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 13, 2003, 3:05 p.m.

Members Present: Angelo, Vice Chair; Fraise, Ranking Member; Hosch and Kreiman.

Members Absent: Miller, Chair (excused).

Committee Business: Presentations by representatives of the Department of Corrections.

Adjourned: 3:55 p.m.

JUDICIARY

Convened: February 17, 2003, 2:45 p.m.

Members Present: Redfern, Chair; Larson, Vice Chair; Kreiman, Ranking Member; Fraise, Holveck, Horn, Kettering, Lamberti, McCoy, Miller, Putney, Quirnbach, and Tinsman.

Members Absent: Boettger and McKibben (both excused).

Committee Business: Discussed agenda for next meeting.

Adjourned: 2:55 p.m.

TRANSPORTATION

Convened: February 17, 2003, 2:25 p.m.

Members Present: Drake, Chair; Putney, Vice Chair; McCoy, Ranking Member; Beall, Dearden, Fraise, Houser, Johnson, Kettering, Rehberg, Shull, Warnstadt, and Zieman.

Members Absent: None.

Committee Business: Passed [SF 127](#) (as amended).

Adjourned: 2:40 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 13](#), by Warnstadt, a resolution to recognize Company D, 109th Aviation, of the Iowa Army National Guard for its dedication and outstanding performance of duty.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

[Senate File 151](#), by Kibbie and Lundby, a bill for an act limiting the amount of contributions a candidate for office may accept from outside counties in whole or in part within the candidate's elective district, and providing a civil penalty.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 152](#), by Kibbie, a bill for an act relating to compensation for members of county commissions of veteran affairs.

Read first time under Rule 28 and referred to committee on **Local Government**.

[Senate File 153](#), by Rehberg, a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Transportation**.

[Senate File 154](#), by Kreiman, a bill for an act providing for the use, consumption, or possession of a controlled substance while on public streets or highways or public school property, or while attending a public or private school-related function.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 155](#), by committee on Judiciary, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 156](#), by Connolly, a bill for an act providing for continuation of group insurance for certain retired employees of the general assembly, and providing an applicability date.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILL RECEIVED

[SSB 1072](#) **Transportation**

Relating to snowmobile franchises by requiring the repurchase of certain inventory upon termination of a franchise.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 138](#)

HUMAN RESOURCES: Boettger, Chair; Holveck and Veenstra

[Senate File 139](#)

HUMAN RESOURCES: Schuerer, Chair; Kreiman and Seymour

[Senate File 149](#)

ECONOMIC GROWTH: Shull, Chair; Beall and Larson

[SSB 1072](#)

TRANSPORTATION: Rehberg, Chair; Fraise and Zieman

COMMITTEE REPORT

JUDICIARY

Final Bill Action: *[SENATE FILE 155 \(SSB 1045\)](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Redfern, Larson, Kreiman, Boettger, Fraise, Holveck, Horn, Kettering, Lamberti, McCoy, McKibben, Miller, Putney, and Quirmbach. Nays, none. Absent, 1: Tinsman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 155](#), and they were attached to the committee report.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 17, 2003, the Governor approved and transmitted to the Secretary of State the following bill:

[S.F. 36](#) – Supplementing appropriations made for the fiscal year beginning July 1, 2002, to the departments of human services, corrections, and public safety, and to the state public defender, and providing effective date and applicability provisions.